

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5132 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- BIDUPUR District- Vaishali

Mithun Kumar Son of Janardan Ray @ Jalandhar Rai Resident of Village-
Dharampur Ram Ray, P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Naveen Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Bidupur P.S. Case No. 361 of 2020, registered for the offence under Sections 399, 402, 120(B) of the I.P.C. and Sections 25(1-b)a, 26, 35 of Arms Act.

On a secret information that some miscreants have assembled to commit an offence, a raid was conducted and five accused persons, including this petitioner, were apprehended on spot and on search, one mobile and a dagger were recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that no incriminating article has been recovered from conscious possession of the petitioner. Petitioner has got clean antecedent, as stated in paragraph – 3 of the petition and he is in custody



since 17.09.2020.

Considering the aforesaid facts & circumstances and the fact that no arms has been recovered from the possession of the petitioner and petitioner has got clean antecedent, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 361 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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